

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** Mail Stop ISSUE FEE  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

45216 7590 10/26/2006

KUNZLER & ASSOCIATES  
 8 EAST BROADWAY  
 SUITE 600  
 SALT LAKE CITY, UT 84111



Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/713,950	11/14/2003	David Alan Burton	IEND920020065US1	2893

TITLE OF INVENTION: APPARATUS, SYSTEM, AND METHOD FOR MAINTAINING DATA IN A STORAGE ARRAY

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	01/26/2007

EXAMINER	ART UNIT	CLASS-SUBCLASS
MEHRMANESH, ELMIRA	2113	714-005000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☒ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

*Kunzler & Associates*

2 \_\_\_\_\_

3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

*International Business  
 Machines Corporation*

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

*Almond, NY*

01/14/2007 MAHED2 00000084 090466 10713950

01 FC:1501 1400.00 DA  
 02 FC:1504 300.00 DA  
 03 FC:8001 3.00 DA

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 1

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 09-0466 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Brian C. Kunzler*

Date 11/3/06

Typed or printed name Brian C. Kunzler

Registration No. 38,527

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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**PATENT**  
**Docket No. END920020065US1**

**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

APPLICANT(S):        DAVID ALAN BURTON  
  
SERIAL NO.:            10/713,950  
  
FILING DATE:         NOVEMBER 14, 2003  
  
TITLE:                 APPARATUS, SYSTEM, AND METHOD FOR MAINTAINING  
                             DATA IN A STORAGE ARRAY  
  
EXAMINER:            ELMIRA MEHRMANESH  
  
GROUP ART UNIT:     2113  
  
ATTY. DKT. No.:      END920020065US1

MAIL STOP ISSUE FEE  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

**TRANSMITTAL OF THE  
PAYMENT OF ISSUE FEE**

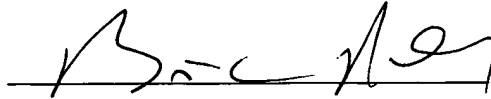
Sir:

The enclosed Payment of the Issue Fee Due is submitted herewith pursuant to 37 C.F.R. § 1.67 and M.P.E.P. § 603.01 for filing in the matter of the United States patent application as hereinabove identified. A duplicate copy of this sheet is enclosed.

Please address all future correspondence in connection with the above-identified patent application to the attention of the undersigned.

Commissioner of Patents  
November 3, 2006  
Page 2

Respectfully Submitted,  
Brian C. Kunzler

A handwritten signature in black ink, appearing to read 'B. C. Kunzler', written over a horizontal line.

Brian C. Kunzler  
Reg. No. 38,527  
Attorney for Applicant

Date: November 3, 2006

Brian C. Kunzler  
8 East Broadway, Suite 600  
Salt Lake City, Utah 84111  
Telephone: 801/994-4646



CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

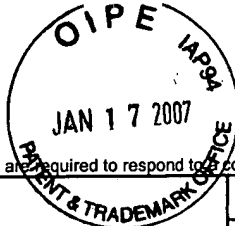
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to:  
Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450  
on \_\_\_\_\_

Respectfully submitted,

\_\_\_\_\_

Transmitted: Transmittal of Payment of Issue Fee.

Please type a plus sign (+) inside this box → ☐



PTO/SB/05 (12/97)  
Approved for use through 9/30/05. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# FEE TRANSMITTAL

Note: Effective December 8, 2004.  
Patent fees are subject to annual revision.

## Complete If Known

Application Number	10/713,950
Filing Date	November 14, 2003
First Named Inventor	David Alan Burton
Group Art Unit	2113
Examiner Name	Elmira Mehrmanesh
Attorney Docket Number	END920020065US1

TOTAL AMOUNT OF PAYMENT \$ 1703

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number: 09-0466
- Deposit Account Name: IBM CORPORATION
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 ☐ Charge the Issue Fee In 37 CFR at the Mailing of the Notice of Allowance

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1011	300	2011	150			Utility filing fee	
1111	500	2111	250			Utility search fee	
1311	200	2311	100			Utility examination fee	
1084	250	2004	125			Utility size fee for each additional 50 over 100	
1005	200	2005	100			Provisional filing fee	

### SUBTOTAL (1)

\$ 0

### 2. CLAIMS

Total Claims	Extra	Fee from below	Fee Paid
-20 =	0	x 50	=
Ind. Claims -3 =	0	x 100	=
Multiple Dep. Claims	0	x 380	= 0

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1202	50	2202	25			Claims in excess of 20	
1201	200	2201	100			Independent claims in excess of 3	
1203	380	2203	180			Multiple dependent claim	
1204	200	2204	100			Reissue independent claims over original patent	
1205	50	2205	25			Reissue claims in excess of 20 and over original patent	

### SUBTOTAL (2)

0

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65			Surcharge - late filing fee or oath	
1052	50	2052	25			Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130			Non-English specification	
1812	2520	1812	2520			For filing a request for reexamination	
1804	920*	1804	920*			Requesting publication of SIR prior to Examiner action	
1805	1840*	1805	1840*			Requesting publication of SIR after Examiner action	
1251	120	2251	60			Extension for reply within first month	
1252	450	2252	225			Extension for reply within second month	
1253	1020	2253	510			Extension for reply within third month	
1254	1530	2254	765			Extension for reply within fourth month	
1255	2160	2255	1080			Extension for reply within fifth month	
1401	500	2401	250			Notice of Appeal	
1402	500	2402	250			Filing a brief in support of an appeal	
1403	1000	2403	500			Request for oral hearing	
1451	1510	1451	1510			Petition to institute a public use proceeding	
1452	110	2452	55			Petition to revive -unavoidably	
1453	1370	2453	685			Petition to revive - unintentional	
1501	1400	2501	700			Utility issue fee	1400
1502	800	2502	400			Design issue fee	
1503	1100	2503	550			Plant issue fee	
1460	130	1460	130			Petitions to the Commissioner	
1807	50	1807	50			Petitions related to provisional applications	
1806	180	1806	180			Submission of Information Disclosure Stmt	
8021	40	8021	40			Recording each patent assignment per property (times number of properties)	
1801	790	2801	395			Request for continued examination (RCE) (37 CFR 1.114)	
1809	790	2809	395			Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395			For each additional invention to be examined (37 CFR 1.129(b))	
Other fee (specify) ___ Fee Code: 8001 Fee: 3.00 each Printed Copy of Patent w/o color, regular service delivery by USPS, UPSTO Box, or electronic means.							3
Other fee (specify) ___ Publication Fee ___							300

\*Reduced by Basic Filing Fee

### SUBTOTAL (3)

\$1703

## SUBMITTED BY

Typed or Printed Name Brian C. Kunzler

Signature

*Brian C. Kunzler*

Date

Nov 3, 2006

## Complete (if applicable)

Reg. Number 38,527

Deposit Account User ID

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231